

Frequently Asked Questions - Digital Court Reporting

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1. What is digital court reporting?

Beginning March 1, 2004, all proceedings before Judge Starzynski have been recorded by a proprietary digital audio recording system called For the Record (FTR), not by a stenographic court reporter. This applies to hearings taking place in the hearing room and the Animas Courtroom in Albuquerque, as well as any hearings Judge Starzynski conducts elsewhere in the District of New Mexico. The system uses a computer and microphones to pick up what is said, creating a digital audio file.

2. What format is this digital audio file saved in?

The audio file is saved in a proprietary wav file format. You must install a software program called FTR Player Plus on your PC in order to listen to these audio files. This is a Windows based software application. The software is available for free from the FTR web site at <http://www.ftrgold.com/page.asp?pageid=31>. The Court also provides the installation application and installation instructions on the CD when a customer requests a copy of an audio file. This software can be installed on PC's running Windows 98 Second Edition, Windows ME, Windows 2000 or Windows XP. The software will not run on other versions of the Windows operating system. It will not run on a Macintosh computer.

3. Why would I want to receive the audio recording on a CD rather than via e-mail?

One hour of audio recording creates a 27 MB audio file. To put that in terms most people can understand, that's the equivalent size of 13 floppy disks. This is why it will often be impractical for the Court to send recordings to requesters via e-mail. Many e-mail applications will not accept files that large. A CD will hold up to 700 MB of data - the equivalent of 25+ hours of audio records. Fulfilling audio recording requests using CDs as the medium is probably a more practical approach for some users.

4. How do I order a digital audio recording? How do fee charges work for digital audio recordings?

Detailed information on obtaining an audio record and on the fee framework is available on the Court's web site at:

<http://www.nmcourt.fed.us/web/BCDOCS/Files/ordertrans.htm>

You are charged for every audio CD obtained from the Court, not per audio file requested. 25+

hours of recording will fit on a single audio CD. A users who wants to save money could combine requests so that multiple files can be sent at one time for the single fee.

5. What is the sound quality on an audio recording? What happens if everyone speaks at once?

Sound quality for digital audio recordings is typically much better than sound quality from a recording made using a tape recorder. The system has four channel input. This is a technical way of saying that there are four different groups of microphones picking up the sound. If many people are talking at the same time, you can isolate independent channels (groups of microphones) so that you are only listening to that set of speakers. For example, in the courtroom each attorney table is a setup as a channel, the Judge has a channel and the witness has a channel. The attorney podium is grouped with the attorney table closest to the podium. If everyone is speaking in the courtroom at the same time, the Player software will allow a listener to turn off everyone but the Judge so that the Judge's voice is the only sound being heard (or alternatively turn off the Judge and listen to the voices on one of the other channels independently).

6. How do I order a transcript?

Detailed procedures on ordering transcripts are available on the Court's web site at:
<http://www.nmcourt.fed.us/web/BCDOCS/Files/ordertrans.htm>

7. How does digital court reporting change practice in the courtroom?

This information is taken from the March 2004 Notice to Practitioners. The full text of that notice is available on the Court's web site at:
<http://www.nmcourt.fed.us/web/BCDOCS/Files/ntp0401.pdf>

This particular digital technology has certain limitations, risks and benefits. Among these are:

- a. You may listen to the recording; you don't need to get a written transcript or rely only on your notes.
- b. Since each file may contain multiple proceedings, remember what time your hearing took place, or when the particular part you are interested in took place. Also note the hearing location.
- c. Make sure you are near a microphone whenever you want to be heard. If you leave

the microphone at the podium to approach a witness, stop talking until you get back to the podium.

- d. The system records everything it hears. What you say “off the record” is recorded. If you want something to be “off the record,” request that and get an affirmative ruling that what you say will be deemed to be off the record, although in fact what the system “hears” will be recorded. The microphones in the Animas Courtroom not only record but also broadcast what is said throughout the courtroom. The mute button on a microphone only blocks or stops the microphone from broadcasting; the mute button does not stop the system from recording what you are saying. To say something confidentially to your client, whisper in the client’s ear, put your hand over the microphone, step away from the microphone, or take other steps to ensure your voice is not picked up by system.
- e. Identify yourself every time you speak.
- f. The system is not running all the time; we turn it on before the hearings start in the morning and turn it off at the end of the hearings, and sometimes in between. If the judge has forgotten to turn the equipment on, please bring it to his attention.